

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN THE MATTER OF:) No. B-09-81362 C-13D
Matthew T. Davis)
Kristie D. Davis)
)
Debtor(s))

ORDER DENYING CONFIRMATION OF PLAN

On February 18, 2010, a hearing was held on Objection by GMAC Mortgage, LLC (“GMAC”) to confirmation of the Debtors’ proposed plan. At the hearing, Edward C. Boltz, Esq. appeared on behalf of the Debtors; Matthew T. McKee, Esq. appeared on behalf of GMAC; and, Benjamin E. Lovell, Esq., attorney for the Standing Trustee appeared. The Court, after considering the Objection and having heard and considered the statements of counsel and the attorney for the Trustee, finds that the Objection should be sustained; therefore, it is ORDERED:

1. The Objection by GMAC to confirmation of the Debtor’s proposed plan is sustained and the proposed plan is not confirmed.
2. The Debtors shall have 30 days from February 18, 2010, within which to amend their proposed plan or file a new proposed plan, and in the event an amended or new proposed plan is not timely filed, this case shall be automatically dismissed upon Motion of the Standing Trustee without further notice and hearing.

PARTIES IN INTEREST

**Page 1 of 1
09-81362 C-13D**

Matthew T. Davis
Kristie D. Davis
2774 Lucy Garrett Rd.
Timberlake, NC 27583

John T. Orcutt, Esq.
6616-203 Six Forks Rd.
Raleigh, NC 27615

Richard M. Hutson, II
Standing Trustee
PO Box 3613
Durham, NC 27702

Matthew T. McKee, Esq.
2701 Coltsgate Rd., Ste. 102
Charlotte, NC 28211